

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

Fode Soumah,)	
824 Daybreak Dr.)	
Avon, IN 46123)	
)	
<i>Plaintiff,</i>)	Case No.
)	
-vs-)	Judge
)	
Bobir Sultonov)	
420 Avenue F, Apt. 6H)	
Brooklyn, NY 11218)	
)	
and)	
)	
AFS World LLC)	
c/o Abdulkhairov Sobir (President))	
2820 Welsh Road, Unit B)	
Philadelphia, PA 19152)	
)	
and)	
)	
IKM Inc.)	
c/o Ivan Krsteyski (President))	
1102 Longford Ct.)	
Westmont, IL 60559,)	
<i>Defendants.</i>)	

COMPLAINT FOR DAMAGES

Plaintiff Fode Soumah (“Soumah”), by counsel, files his Complaint for Damages, and in support hereof, states as follows:

I. Nature of the Case

1. This case arises from a motor vehicle accident that occurred on February 9, 2021, on Interstate 70 East (“I-70 East”) in Belmont County, Ohio.

2. Soumah alleges that Defendant Bobir Sultonov (“Sultonov”), while acting as an

agent of Defendants AFS World LLC and IKM Inc., negligently operated his tractor-trailer; that Sultonov's tractor-trailer struck the rear of Soumah's vehicle; and that as a result of the collision Soumah suffered severe personal injuries and damages.

II. Identification of Parties

3. Soumah is a resident of Hendricks County, Indiana.

4. Defendant Sultonov was at all relevant times a resident of Kings County, New York.

5. Defendant AFS World LLC is a domestic limited liability company with its corporate headquarters and principal place of business located in Philadelphia County, Pennsylvania.

6. Defendant IKM Inc. is a for-profit corporation with its corporate headquarters and principal place of business located in DuPage County, Illinois.

7. AFS World LLC and IKM Inc. owned the tractor-trailer Sultonov was operating on February 9, 2021, and, upon information and belief, employed Sultonov.

III. Jurisdiction & Venue

8. This Court has jurisdiction over the subject matter of this complaint pursuant to 28 U.S.C. § 1332 because complete diversity of citizenship exists between the parties and the amount in controversy exceeds \$75,000.00, exclusive of interests and costs.

9. Venue is proper in the Southern District of Ohio under 28 U.S.C. § 1391(b) because the motor vehicle collision at issue occurred in Belmont County, Ohio.

IV. Facts Common to All Counts

10. On February 9, 2021, Soumah was driving a 2008 Toyota SUV on I-70 East in

Belmont County, Ohio.

11. Soumah was approximately one-half-mile west of mile marker 200 on I-70 East.
12. At the same time, Sultonov was operating a tractor-trailer eastbound on I-70 East directly behind Soumah.
13. Sultonov's vehicle struck the rear of Soumah's vehicle.
14. As a result of the collision, Soumah suffered multiple traumatic injuries, including but not limited to a lacerated spleen and injuries to his neck, shoulders, back, and flank.
15. At all relevant times, Sultonov was acting as an agent of AFS World LLC and IKM Inc.

V. Claims

Count 1: Negligence against Sultonov

16. Plaintiff incorporates the preceding paragraphs as though fully set forth below.
17. Sultonov was negligent in the operation of his vehicle.
18. Among other things, Sultonov failed to maintain a reasonable look out, drove his vehicle at an unsafe speed, failed to keep his vehicle under control, followed Soumah's vehicle too closely, and struck the rear of Soumah's vehicle.
19. As a direct and proximate result of Sultonov's negligence, Soumah suffered personal injuries and damages.
20. Soumah seeks damages in excess of \$75,000.00, exclusive of interests and costs.

Count 2: Negligence *per se* against Sultonov

21. Plaintiff incorporates the preceding paragraphs as though fully set forth below.
22. Sultonov was cited for, and found guilty of, violating Ohio Revised Code

4511.21(a), which provides, in pertinent part, “no person shall drive any motor vehicle . . . in and upon any street or highway at a greater speed than will permit the person to bring it to a stop within the assured clear distance ahead.”

23. As a direct and proximate result of Sultonov’s negligence *per se*, Soumah suffered personal injuries and damages.

Count 3: Vicarious Liability against AFS World LLC

24. Plaintiff incorporates the preceding paragraphs as though fully set forth below.

25. AFS World LLC is legally responsible under Ohio law, particularly under the doctrine of *respondeat superior*, for the negligence of its agents, including Sultonov.

Count 4: Vicarious Liability against IKM Inc.

26. Plaintiff incorporates the preceding paragraphs as though fully set forth below.

27. IKM Inc. is legally responsible under Ohio law, particularly under the doctrine of *respondeat superior*, for the negligence of its agents, including Sultonov.

WHEREFORE, Plaintiff Fode Soumah respectfully requests a judgment against Defendants in an amount that will fully and fairly compensate him for his damages and the costs of this action, and for all other relief just and appropriate in the premises.

Respectfully submitted,

/s/ David J. Demers

David J. Demers (0055423)

Cooke Demers, LLC

260 Market Street

New Albany, Ohio 43054

Phone: (614) 939-0930

Fax: (614) 939-0987

Email: ddemers@cdgattorneys.com

Trial Attorney for Plaintiff Fode Soumah

Jury Demand

Plaintiff Fode Soumah, pursuant to Rule 38(b) of the Federal Rules of Civil Procedures, hereby demands a trial by jury on all issues.

/s/ David J. Demers

David J. Demers (0055423)